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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,208	08/28/2003	Andrew W. Phillips	GP-302782	7158

7590 03/25/2005

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EXAMINER

BUTLER, DOUGLAS C

ART UNIT	PAPER NUMBER
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3683

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/650,208

EXAMINER
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ART UNIT	PAPER
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03212005

DATE MAILED:

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Commissioner for Patents

see attached letter

The reply filed on 03/09/2005 is not fully responsive to the prior Office Action because applicant has no arguments set forth as to the reasons for patentability of **newly submitted claims 27-29**. This is separate and distinct from consideration of original claims 1-26. Applicant only generally states:

**Futhermore, the cited art is silent with respect to the subject matter claimed in Claims 27-29. The cited art does not teach or suggest the invention of Claims 27-29.**

See MPEP 714.02, MPEP 714.04 and 37 CFR 1.111.

See MPEP 714.04 which deals with applicant's **refusal** to discuss the new claims which is entitled "Claims Presented in Amendment With No Attempt To Point Out Patentable Novelty"

"In the consideration of claims in an amended case where no attempt is made to point out the patentable novelty, the claims should not be allowed. See 37 CFR 1.111 and MPEP § 714.02. An amendment failing to point out the patentable novelty which the applicant believes the claims present in view of the state of the art disclosed by the references cited or the objections made may be held to be not fully responsive and a time period set to furnish a proper reply if the statutory period has expired or almost expired (MPEP § 714.03)..."

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).


The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of

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extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas C. Butler whose telephone number is 703-308-2575. The examiner can normally be reached on m-f 5:30 am to 2pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

  
Douglas C. Butler  
Primary Examiner  
Art Unit 3683

3/21/05